

Message Text

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15

ACTION EB-07

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FOR EB/IFD/BP-WINTER AND PATENT OFFICE-MICHAEL KIRK
FROM SHEEHAN

E.O. 11652: N/A

TAGS: EFIN, WIPO

SUBJ: PATENT COOPERATION TREATY (PCT) RATIFICATION

1. RUMOR CIRCULATING IN WIPO, ATTRIBUTED TO PFANNER,
HAS IT THAT ALL NECESSARY RATIFICATIONS FOR ENTRY INTO
FORCE OF PCT WILL BE RECEIVED BY APRIL, 1977. FRANCE,
SWEDEN AND SWITZERLAND ARE EXPECTED TO DEPOSIT BY THAT
DATE. FOR PURPOSES OF ARTICLE 63 ONLY SWEDEN AND FRANCE
COUNT.

2. USSR APPEARS TO BE HOLDING BACK BECAUSE OF "FULL
FAITH AND CREDIT" ON SEARCHES. PCT TEST PROGRAM RESULTS
WHICH INDICATE SOVIET PERFORMANCE ON SEARCHES IS
QUESTIONABLE GIVE CREDIBILITY TO THIS THEORY. USSR MAY
ATTEMPT TO BARGAIN "FULL FAITH AND CREDIT" AS PRICE FOR
BRINGING PCT INTO FORCE (IF THEY ARE NEEDED).

3. IT APPEARS FROM SOME OF PFANNER'S COMMENTS ON PCT
DOCUMENTS FOR NOVEMBER MEETING THAT HE WOULD LIKE TO AMEND
PCT RULES AS A WAY OF SLOWING DOWN ENTRY INTO FORCE OF
PCT. IF PCT IS IN OPERATION BEFORE EPO, APPLICANTS
WILL FILE PCT. IF EPO IS IN OPERATION FIRST, APPLICANTS
WILL HAVE TO FILE DIRECTLY WITH EPO AND THEREBY GET USED
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TO FILING WITH EPO RATHER THAN FOLLOWING PCT ROUTE.

4. BUDGET FOR PCT FOR FIRST YEAR OF OPERATION
ESTIMATED TO BE BETWEEN SIX AND SEVEN MILLION SWISS
FRANCS.ABRAMS

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